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S&H Form: (2/01)

Docket No.: 1341.1081

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Noriko SAKAI et al.

Serial No. 09/785,220

Group Art Unit: 3625

Confirmation No. 3951

Filed: February 20, 2001

Examiner: GART, MATTHEW S

For: GIFT MEDIATING METHOD AND A COMPUTER PRODUCT

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants elect Group I, with traverse.

Applicants submit that the claims should be regrouped as follows:

Group A (I and IV), including claims 1-3, 6, 7, 10, 13 and 14. Group A relates to a gift mediating method, which includes fundamental features for gift mediating.

Group B (II), including claims 4, 8, 11 and 15. As stated by the Examiner, Group B (II) relates to a letter-of-appreciation.

Group C (III and V), including claims 5, 9, 12 and 16. Group C relates to a letter-of-rejection. Particularly, claim 16 is a medium claim that corresponds to claim 9, and therefore it is more reasonable that these claims should be considered in the same application.

There have been no references cited to show any necessity for requiring restriction and, in fact, it is believed that the Examiner would find references containing claims directed to more than one of the groups delineated by the Examiner. It is further noted that each of the groups delineated by the Examiner has the same classification. It is believed that evaluating Groups I and IV together and evaluating Groups III and V together would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to Applicants in having to protect the additional subject matter recited by Groups IV and V by filing divisional applications.


Upon review of the references involved in this field of technology, when considering the commonality of the regrouped claims, and when all of the various facts are taken into consideration, it is believed that reconsideration of the Examiner's initial requirement for restriction is appropriate. The Examiner is respectfully requested to regroup the claims as mentioned above.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend these matters.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Nov 2, 2004
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